

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ILLUMINA, INC. AND ILLUMINA  
CAMBRIDGE, LTD.,

Plaintiffs,  
v.

ELEMENT BIOSCIENCES, INC.,

Defendant.

C.A. No. 25-602-RGA

**DEFENDANT ELEMENT BIOSCIENCES, INC.’S PARTIAL MOTION TO DISMISS**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, Defendant Element Biosciences, Inc. (“Element”) moves to dismiss Plaintiffs Illumina, Inc. and Illumina Cambridge, Ltd.’s claims for indirect infringement and relief sought for willful infringement and pre-suit damages in Illumina’s Amended Complaint (D.I. 12). The grounds for this Motion are set forth in Element’s Opening Brief filed contemporaneously.

Dated: July 28, 2025

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on July 28, 2025, a copy of the foregoing document was served on the counsel listed below in the manner indicated:

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